

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

FITZGERALD & ASSOCIATES, PC  
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Attorney for Debtor

In Re:

Sidney C. Grimes,

Debtor

Case No.: 16-28482

Judge: Sherwood

Chapter: 13

### CHAPTER 13 DEBTOR=S CERTIFICATION IN OPPOSITION

The debtor in this case opposes the following (choose one):

1. ☐ Motion for Relief from the Automatic Stay filed by \_\_\_\_\_, creditor,

A hearing has been scheduled for \_\_\_\_\_, at \_\_\_\_\_.

- ☒ Motion to Dismiss filed by the Chapter 13 Trustee.

A hearing has been scheduled for \_\_\_\_\_ December 14, 2017 \_\_\_\_\_, at \_\_\_\_\_ 11:00am \_\_\_\_\_.

- ☐ Certification of Default filed by \_\_\_\_\_,

I am requesting a hearing be scheduled on this matter.

2. I oppose the above matter for the following reasons (choose one):

- ☐ Payments have been made in the amount of \$ \_\_\_\_\_, but have not been accounted for. Documentation in support is attached.


☐ Payments have not been made for the following reasons and debtor proposes repayment as follows (explain your answer):

☒ Other (explain your answer):

The proof of claim filed by Duetsche Bank (Ocwen Loan Servicing) should be expunged. I do not owe that debt. I did not sign the Note. I do not live at the property. My wife, Sheena Grimes, lives at the property and pays the mortgage. We are legally married but separated. In 2008, we refinanced the property, I signed the mortgage only, not the note and I am not obligated on the loan.

3. This certification is being made in an effort to resolve the issues raised in the certification of default or motion.
4. I certify under penalty of perjury that the above is true.

Date: 12/8/17

  
Debtor=s Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Debtor=s Signature

**NOTES:**

1. Under D.N.J. LBR 4001-1(b)(1), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 7 days before the date of the hearing if filed in opposition to a Motion for Relief from the Automatic Stay or Chapter 13 Trustee=s Motion to Dismiss.
2. Under D.N.J. 4001-1 (b)(2), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 14 days after the filing of a Certification of Default.

Bank of America

Cashier's Check

No. 1533307678

Notice to Purchaser: In the event that this check is lost, misplaced or stolen, a sworn statement and 90-day waiting period will be required prior to replacement. This check should be negotiated within 90 days.

VOID After 90 Days

30-1/1140

Date 12/08/17 09:28:02 AM

NTX

SOUTH ORANGE

0002 0096646 0022

Pay

BANK OF AMERICA FOUR EIGHT ZERO ZERO CT SCTS

\*\*\$4,800.00\*\*

\*\*Four Thousand Eight Hundred and 00/100 Dollars\*\*

To The COOPER REAL ESTATE MANAGEMENT  
Order Of

Remitter (Purchased By): SIDNEY C. GRIMES

Bank of America, N.A.  
SAN ANTONIO, TX

  
AUTHORIZED SIGNATURE

11 7678 0019 06097

THE ORIGINAL DOCUMENT HAS A REFLECTIVE WATERMARK ON THE BACK. HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENDORSEMENTS.